DHRM Bulletin

Effective Date: March 1, 1993 **Reference:** UCA 67-19-15.7

SUBJECT: Promotions & Reclassifications, Career Service Exempt Employees

Most career service exempt employees, including Deputy Directors, Division Directors, and other AD exempt employees are covered by the classified service provisions of the law (See UCA 67-19-3, and 67-19-12) (Department heads are not covered by the classified service provisions of the code). This means that all the provisions of UCA 67-19-15.7 apply regarding promotions, reclassifications and reassignments of these career service exempt employees.

Specifically, exempt employees who are promoted are limited to a maximum salary increase of 11 percent. Exempt employees who are reclassified, or reassigned to a lower salary range, are also limited to a maximum decrease in salary of 5.5 percent, if the reassignment is voluntary. Since this is a statutory requirement, DHRM must insure that there are no exceptions and cannot waive the law.

If a reassignment is involuntary, then the affected employee retains their current salary as specified in DHRM rule R477-7-4.(5)(b). Reorganizations involving reassignments of employees to lower salary ranges, generally place such employees in a condition of involuntary reassignment. In such instances the above rule applies.

Employees in career service exempt positions, who previously held a career service position, without a break in service, who are not retained by the new administration, shall be subject to UCA 67-19-17. This means they shall be appointed to any career service position for which the employee qualifies in a pay range comparable to the employee's last position, or to any lesser career service position providing an opening exists, not to exceed the maximum of the pay range. A reappointment register comprised of these and other RIF'd employees shall have precedence over all other registers. Agencies may negotiate the salary up to maximum of range, for those who are appointed from the RIF register, considering such things as budget restraints, employee equity issues, and the employee's education and experience.